



COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION
"Creating Community Through People, Parks and Programs"
Russ Guiney, Director

April 13, 2010

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTION OF RESOLUTION INITIATING PROCEEDINGS FOR THE ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR ZONES WITHIN LOS ANGELES COUNTY LANDSCAPING AND LIGHTING ACT DISTRICT NUMBERS 1, 2, AND 4, FOR FISCAL YEAR 2010–11; ADOPTION OF RESOLUTION INITIATING PROCEEDING FOR THE ANNEXATION OF TERRITORY INTO LANDSCAPING AND LIGHTING ACT DISTRICT NUMBER 4, ZONE NUMBER 78 (THE OLD ROAD AREA-WIDE) AND ZONE NUMBER 79 (THE OLD ROAD LOCAL) IN THE UNINCORPORATED AREA OF VALENCIA; AND ORDERING THE PREPARATION OF ENGINEER'S REPORTS IN CONNECTION THEREWITH (SUPERVISORIAL DISTRICTS 1, 3, 4, AND 5) (3 VOTES)

SUBJECT

This action will adopt the Resolution Initiating Proceedings for the levy of annual assessments for Landscaping and Lighting Act District Numbers 1, 2, and 4, and Zones therein; annex territory into Landscaping and Lighting Act District Number 4, Zone Number 78 (The Old Road Area-Wide) and Zone Number 79 (The Old Road Local); and order the preparation of the engineer's reports in connection with the proposed proceedings.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that the following actions are categorically exempt from the provisions of the California Environmental Quality Act.
2. Adopt the Resolution Initiating Proceedings to levy annual assessments for landscape and park maintenance purposes for Landscaping and Lighting Act District Numbers 1, 2, and 4, and Zones therein; and annexation of territory into Landscaping and Lighting Act District Number 4, Zone Number 78 (The Old Road Area-Wide) and Zone Number 79 (The Old Road Local), pursuant to

provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, Section 22500 et. seq., and as provided by Article XIID of the California Constitution.

3. Designate the Director of the Department of Parks and Recreation as the Engineer for purposes of implementing this procedure.

4. Instruct the Director of the Department of Parks and Recreation to prepare and file Engineer's Reports in accordance with Chapter 1 Article 4 of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California (commencing with Section 22565) for the annual levy of assessments for Fiscal Year 2010–11 within Landscaping and Lighting Act District Numbers 1, 2, and 4 and Zones therein; and annexation of territory into Landscaping and Lighting Act District Number 4, Zone Number 78 (The Old Road Area-Wide) and Zone Number 79 (The Old Road Local) in accordance with Chapter 2 Article 3 of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California (commencing with Section 22605).

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of these recommended actions is for your Board to initiate proceedings for the levying of annual assessments for landscape and park maintenance purposes, and annexation of additional territory into Landscaping and Lighting Act (LLA) District No. 4 by directing the Department of Parks and Recreation (Department) to prepare the required Engineer's Reports.

This Board action only initiates the assessment and annexation process and does not establish any assessment rates. In accordance with Proposition 13, assessments cannot be based on property values. Each District and Zone therein, is obligated to establish a benefit formula by which assessments are set according to the benefit received from the service or improvement. Under Proposition 218, which added Articles XIIC and XIID to the California Constitution, the local government (Board) is required to give the affected property owners mailed notice and ballots regarding the proposed new or increased assessment and hold a public hearing (protest hearing) to receive ballots in support of or opposition to the proposed new or increased assessment for tabulation.

On July 12, 1979, August 10, 1995, and July 22, 1997, your Board approved the formation of LLA District Numbers 1, 2, and 4 and Zones, therein, respectively, for the purpose of providing landscaping in County-administered LLA Districts and Zones therein, pursuant to provisions of LLA of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, Section 22500 et. Seq. (Act). As the governing body, the Board of Supervisors is responsible for approving the levying of annual assessments for landscape and park maintenance purposes. Board adoption of the Resolution Initiating Proceedings institutes the annual assessment process for the renewal or increase of existing annual assessments and the establishment of new assessments for Fiscal Year (FY) 2010–11.

Proceeding regarding the proposed annexations will be considered pursuant to a future Resolution of Intention, as required in accordance with the Act.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1). We

ensure the continuation of services to maintain the landscaped areas and appurtenant improvements that benefit those who live within these Zones. Furthermore, we will maintain fiscal sustainability of our landscape maintenance services by performing the annexations and establishment of the assessments to provide the funding necessary for the operation and maintenance of new landscaping and appurtenant improvements within these annexed territories. These actions are consistent with the Community and Municipal Services (Goal 3), since landscaping services provide for the delivery of a customer-oriented municipal service that improves the quality of life for residents in the area.

FISCAL IMPACT/FINANCING

All services provided in the Districts and Zones therein, are funded by the assessments established by the Board of Supervisors. The proposed assessments will generate approximately \$8.01 million in total revenue in LLA District Numbers 1, 2, and 4 and Zones therein for FY 2010-11. There will be no projected increase in the total revenue over FY 2009-10. There is no fiscal impact to the General Fund.

Operating Budget Impact

The recommended action will have no impact on the Department's operating budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Act sets forth procedures that must be followed for any fiscal year during which assessments levied in a prior fiscal year are to be continued. The Act, Government Code Section 53753, and the California Constitution, establish procedures that must be followed for the levy of any new or increased assessments. The Act requires that your Board adopt a Resolution Initiating Proceedings and generally describe any proposed improvements or substantial changes in existing improvements. Your Board must also order the Engineer to prepare and file a report in accordance with Section 22565 of the Streets and Highways Code.

In May 2010, the Department will submit, for your Board's approval, the required Engineer's Reports and Resolutions of Intention, setting the public hearing dates to establish the assessments for FY 2010–11, and annexation of territory into LLA District No. 4, pursuant to the Act and as provided by the California Constitution.

County Counsel has reviewed and approved this letter and attached Resolution as to form.

ENVIRONMENTAL DOCUMENTATION

This project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) in that they meet the criteria set forth in Section 15301(c) of the CEQA Guidelines and class 1(x)(27) of the County's Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987. These exemptions provide for formation of and annexations to the LLA Districts.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the action will cause no impact on current services or programs.

CONCLUSION

Please instruct the Executive Officer-Clerk of the Board to forward two adopted copies of this action to the Department of Parks and Recreation.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Russ Guiney", is written over a light blue horizontal line.

RUSS GUINEY
Director

RG:KEH:PM:rc

Enclosures

c: Chief Executive Officer
County Counsel
Executive Officer, Board of Supervisors
Auditor Controller